ENCROACHMENT PERMIT

Raincross Enterprises (Mario's Place), the Owners of the property located at 3642 Mission Inn Avenue in the City of Riverside, Assessors Parcel No. 213-271-002 hereby requests permission to construct and maintain a Portico (Entrance Cover) and Outdoor Dining Area surrounded by a 3 foot wrought iron rail within the public Street right of way of Mission Inn Avenue as shown on **EXHIBIT A** attached hereto.

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Upon issuance of this permit, I agree to comply with the attached terms and conditions.		
Date 6/13/01	BY:	
Date	BY:	
Applicants Address: 3638 University A Attn: Shirley Freen		
ENCROACHMENT PERMIT APPROVAL		
This permit shall become effective upon the approval of the Departments listed below. Issuance of this permit shall not be construed as a waiver of any other applicable permit or requirement, and is only revocable permission to use the land for the purpose described.		
Public Utilities Water - Brian Simpson	B1 Simpro 4/30/01	
Public Utilities Electric – Pat Hohl	U. BO2 4/80/01	
Parks and Recreation - Terry Nielsen	Rathy Sambe for Jory Nulson 5/3/01	
Planning - Jeff Belier	July a Bed 5/0/01	
Development - Robert Wales		
APPLICANT: Upon obtaining the above signatures, return this permit to the Public Works Department for final approval.		
FINAL APPROVAL		
Date <u>5-9-2001</u>	Richard McGrath, Public Works Director	
marios enc 2.doc	ENCROACHMENT PERMIT NO. E - 1492	

TERMS AND CONDITIONS

- 1. Permittee acknowledges that the area of encroachment is owned or controlled by the City of Riverside.
- 2. Permittee acknowledges that the described property could be needed for a proposed or planned public improvement and the City may revoke this permit. Upon written notice of revocation, the permittee shall, within the time prescribed by the City, remove all improvements placed, constructed or maintained. If the permittee fails to abide by the removal order of the City, the City shall have the right to remove and destroy the improvements without reimbursement to the permittee. The cost of such removal shall be paid by the permittee to the City and shall constitute a debt owed to the City.
- 3. Permittee waives the right of claim, loss, damage or action against the City resulting from revocation, termination, removal of improvements or any action of the City, its officers, agents or employees taken in accordance with the terms herein.
- 4. If the Public Works Director of the City of Riverside finds that the permittee is in default of the terms of this permit, that shall be cause for revocation.
- 5. Permittee herewith agrees to hold the City of Riverside harmless from and against all claims demands, costs, losses, damages, injuries, actions for damages and/or injuries, and liability in connection with the construction, encroachment, and/or maintenance to be done by permittee within the described property.
- 6. Prior to any construction taking place on City controlled property, permittee shall obtain a Construction Permit or Street Opening Permit from the City Public Works Department.
- 7. The permittee agrees to insure that construction of their improvements will not interfere in any way with any existing City or utility facilities.
- 8. Permitted acknowledges that existing city or utility facilities will require future maintenance, reconstruction, and revisions and that facilities may be added, any of which may result in removal or alteration of the permittee's improvements without reimbursement to the permittee.
- 9. Prior to construction, permittee shall contact Underground Service Alert to field locate existing utility lines. Any conflicts discovered will void the permit until acceptable revisions are made.

Special Departmental Conditions Attache	d: YES
Special Departmental Conditions Attache	·u. <u> </u>

SPECIAL CONDITIONS Public Works

10. Permittee must relocate the Palm Tree noted as "PALM B" on the attached plans to the empty tree well northwesterly of the project.

DATE 6/13/01

Owner

